

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

RAMAN KUMAR,) CASE NO. C05-0481-RSL-MAT
Petitioner,)
v.) ORDER GRANTING PETITIONER'S
ALBERTO GONZALES, United States) MOTION TO DISMISS § 2241
Attorney General,) PETITION FOR WRIT OF HABEAS
Respondent.) CORPUS

The Court, having considered petitioner's Petition for Writ of Habeas Corpus (Dkt. #2), "Petitioner's Motion to Withdraw his Petition for Writ of Habeas Corpus" (Dkt. #20), and the balance of the record, hereby finds and ORDERS as follows:

(1) On March 25, 2005, petitioner filed, *pro se*, a Motion for Emergency Stay of Removal and Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241, challenging his final order of removal to India. (Dkt. 2). The Court subsequently granted petitioner's request for a stay of his removal pending resolution of the habeas corpus action. (Dkts. #4, #14). On April 14, 2005, attorney Kaaren L. Barr filed a Notice of Appearance as counsel of record for petitioner. (Dkt. #8). On April 25, 2005, the Government filed a Return and Cross-Motion to Dismiss. (Dkt. #12). On May 9, 2005, petitioner filed *pro se*, the instant motion to withdraw his habeas petition. (Dkt. #20). Both petitioner's counsel and the Government have advised the Court that they have no objection to petitioner's motion for voluntary dismissal of the habeas petition.

ORDER GRANTING PETITIONER'S MOTION TO
DISMISS § 2241 PETITION FOR WRIT OF HABEAS
CORPUS
PAGE -1

01 (2) Accordingly, petitioner's Petition for Writ of Habeas Corpus (Dkt. #2) is
02 DISMISSED.

03 (3) The Clerk is directed to send copies of this Order to petitioner, petitioner's counsel,
04 to the United States Attorney, and to the Honorable Mary Alice Theiler.

05 DATED this 12th day of May, 2005.

06 
07

08 Robert S. Lasnik
09 United States District Judge

10 Recommended for Entry
11 this 10th of May, 2005.

12 s/ Mary Alice Theiler
13 United States Magistrate Judge